

Remarks/Arguments

Claims 1, 3 – 9 and 11 – 16 are pending, claims 1, 3 – 9 and 11 – 16 are rejected under Double Patenting.

DOUBLE PATENTING

Examiner has rejected claims 1, 3 – 9 and 11 – 16 on the ground of non-statutory obviousness type double patenting, citing US 7,119,774. In the previous action which was mailed on 11/15/07, claims 1, 5, 9 and 12 – 16 were rejected and claims 2 – 4, 6 – 8 and 10 – 11 were objected to as being dependent on rejected base claims. In Applicant's response of 1/25/08, independent claim 1 was amended to incorporate the features of claim 2, claim 9 was amended to incorporate the features of claim 10, claims 13 and 15 were narrowed in a manner consistent with the amendments of claims 1 and 9 and claims 2 and 10 were cancelled. Since claims 2 and 10 were objected to as being drawn on rejected base claims, Applicant respectfully submits that the incorporation in claims 1 and 9 of the features in claims 2 and 10, respectively, renders amended claims 1 and 9 allowable. Applicant respectfully requests Examiner withdraw the rejection of claims 1 and 9.

The scope of claims 13 and 15 was amended in a manner to narrow claims 13 and 15 in a manner consistent with the amended claims 1 and 9, which applicant believes traverses the rejection of claims 13 and 15. Amended claim 13 recites "a filter coupled to said low brightness output, wherein the filter comprises at least two low pass filters, at least one associated delay circuit, and a maximum selector circuit". The added features of claim 13 are neither disclosed nor suggested in US 7,119,774. As such, it is clear that the present application is an improvement over US 7,119,774 and is patentably distinct from it. Rejection of claim 13 is thus traversed. Applicant respectfully requests withdrawal of the rejection of claim 13.

Amended claim 15 similarly recites "filtering said second video signal portion according to a first filtering rate to generate a first filtered value, and delay matching and filtering said second video signal portion according to a second filtering rate to generate a second filtered value, to adjust transition times of said pulses so as to reduce adjacent pixel interdependence". The added features of claim 15 are neither disclosed nor suggested in US 7,119,774. As such, it is clear that the present claim 15 is patentably distinct from US 7,119,774. Rejection of claim 15 is thus traversed. Applicant respectfully requests withdrawal of the rejection of claim 15.

Claims 3 – 8, 11, 12, 14 and 16, being dependent on and adding advantageous features to allowable base claims or claims dependent on allowable base claims are themselves patentable as the allowable base claims. Applicant respectfully requests rejection of claims 3 – 8, 11, 12, 14 and 16 be withdrawn.

In the April 16, 2008 rejection, Examiner refers to a rejection of claims 1, 9, 13 and 15 based on a combination of US 7,119,774 (Willis) and an uncited reference to Rummreich. Applicant is unable to respond to these rejections, having no citation from which to operate.

Having fully addressed the Examiner's objections and rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (317) 587-4029, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No additional fee is believed due. However, if an additional fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,

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Amdt. dated May 14, 2008
Reply to Office action of April 16, 2008

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A handwritten signature in black ink, appearing to read 'William A. Lagoni', is written over a horizontal line.

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